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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA) No. CR-08-0528-MHP
v.)
GREGORY ALLEN WEISS,)
Defendant.)

) STIPULATION AND [PROPOSED]
ORDER DOCUMENTING WAIVER

With the agreement of the parties, and with the consent of the defendant, the Court enters this order excluding time under Speedy Trial Act from August 25, 2008 until September 22, 2008 at 10:00 am. The parties agree and stipulate, and the Court finds and holds, as follows:

23 1. The defendant, Gregory Allen Weiss, was charged in a complaint dated April 17,
24 2008 with one count of conspiring to distribute and to possess with intent to distribute 1,000 and
25 more individual marijuana plants, in violation of 21 U.S.C. §§ 812, 841(a)(1), 841(b)(1)(A), and
26 846, and one count of distributing and possessing with the intent to distribute 1,000 and more
27 individual marijuana plants, in violation of 21 U.S.C. §§ 812, 841(a)(1), and 841(b)(1)(A).
28 Weiss was arrested on April 23, 2008, and on April 25, 2008, was released subject to bail

1 conditions, including:(a) a \$600,000 personal recognizance bond (b) co-signed by two financially
2 responsible persons and (c) secured by property with equity covering the bond amount, notably
3 1109-1147 Evans Drive, Santa Rosa, California. The Court set May 14, 2008 as the date of the
4 defendant's preliminary hearing.

5 2. Since his arrest, Weiss has been represented by Ann C. Moorman, Esq., who, in
6 order to prepare effectively for this matter and to prepare and make a pre-charge submission to
7 the Government, sought and was granted extensions of the preliminary hearing date. Weiss was
8 eventually indicted by the Grand Jury on August 7, 2008. On August 13, 2008, Weiss was
9 arraigned before Magistrate Judge Spero.

10 3. On August 27, 2008, Weiss appeared before the Court for an initial appearance,
11 and a new status conference was set for September 22, 2008 so that, during the interim, the
12 Government could continue to produce discovery and so that counsel can review discovery. The
13 parties agreed that exclusion of time from Speedy Trial Act calculations would be appropriate in
14 order to ensure the effective preparation of counsel, and the Court granted this request to exclude
15 time until September 22, 2008.

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4. Accordingly, with the consent of the defendant, the Court hereby confirms its exclusion of the time between August 27, 2008 and September 22, 2008 from Speedy Trial Act calculations for the reasons set forth above.

STIPULATED:

DATED: September 7, 2008

/s/
ANN C. MOORMAN, ESQ.
Attorney for GREGORY ALLEN WEISS

DATED: September 4, 2008

/s/
W.S. WILSON LEUNG
Assistant United States Attorney

IT IS SO ORDERED.

DATED: September 9 , 2008

